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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRITZ WUTHRICH,

No. C-14-0871 EMC

Appellant,

v.

AMER SPORTS WINTER & OUTDOOR
COMPANY,

**ORDER DISCHARGING ORDER TO
SHOW CAUSE**

(Docket No. 16)

Appellee.

Previously, the Court ordered Appellant's attorney, Ruth Elin Auerbach, to show cause as to why she should not be sanctioned for her failure to timely file the opening brief in this matter. The Court forewarned Ms. Auerbach that sanctions could include Ms. Auerbach having to pay personally the attorney's fees incurred by Appellee in filing its application for an order dismissing the appeal (based on the failure to timely file the opening brief). *See* Docket No. 16, at 1-2 (order to show cause).

Ms. Auerbach has now filed her response to the order to show cause. She states that the untimely filing was solely her fault, and not her client's, and that she is prepared to reimburse Appellee its attorney's fees. *See* Docket No. 18 (Auerbach Decl. ¶ 3).

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1 Accordingly, the Court hereby **DISCHARGES** the order to show cause and orders Ms.
2 Auerbach to personally pay the attorney's fees incurred by Appellee in filing its application for an
3 order dismissing the appeal. Such payment shall be made within two weeks of the date of this order.

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5 IT IS SO ORDERED.

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7 Dated: February 5, 2015

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EDWARD M. CHEN
United States District Judge

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